

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

RAYLENE VERRECCHIA, et al.,	:	CIVIL ACTION
	:	
v.	:	
	:	
CITY OF PHILADELPHIA, et al.	:	NO. 16-0284

**ORDER**

**AND NOW**, this 19th day of January, 2017, upon consideration of Defendants' Motion to Dismiss (Docket No. 7), and Plaintiffs' opposition thereto, and for the reasons stated in the accompanying Memorandum, **IT IS HEREBY ORDERED** that the Motion is **GRANTED IN PART** and **DENIED IN PART** as follows:

1. Insofar as the Motion seeks dismissal of the claims in Count One for false arrest, false imprisonment, and malicious prosecution, the Motion is **GRANTED** as to Defendant Officers Balmer, Mendez, and Johnson, and **DENIED** as to Defendant Officers Tague, Guarna, Dougherty, and Krause.
2. The Motion is **GRANTED** insofar as it seeks dismissal of the claim in Count Two for excessive use of force as to Defendant Officer Johnson.
3. The Motion is **GRANTED** insofar as it seeks dismissal of the Monell claims in Count Five against the City of Philadelphia.
4. Plaintiffs are **GRANTED** leave to amend the Complaint as to Counts One, Two, and Five. Any amended complaint shall be filed on or before February 9, 2017.

BY THE COURT:

/s/ John R. Padova, J.  
John R. Padova, J.